

U.S. Patent Application No. 10/660,110
Amendment dated November 2, 2007
In Response to Office Action dated August 7, 2007

REMARKS

Continued examination and favorable reconsideration are respectfully requested.

INTRODUCTION

Claims 20, 23-34, and 36-44 remain pending, claims 21, 22, and 35 have been cancelled without prejudice or disclaimer, claims 20, 23-26, 28, 29, 33, 34, 36-38, 40, and 41 have been amended, and new claims 45-55 have added. Thus, claims 20, 23-34, 36-44, and 45-55 are pending. Support for new claims 45-55 can be found throughout the specification and in particular, at least in original claims 20-22, and in paragraphs [0075] and [0090]. Claims 1-19 were previously canceled. No new matter has been added.

Objection of Claim 23

At page 2 of the Office Action, claim 23 is objected to because of informalities. The phrase "the second configuration such that the based on the second configuration" has been amended and now recites, "the second configuration such that, based on the second configuration." By removing "the" and replacing it with a comma, the informality has been removed, and the objection has been overcome. Reconsideration and withdrawal of the objection are respectfully requested.

Rejection of the Claims under 35 U.S.C. §112, Second Paragraph

At page 2 of the Office Action, claims 20-44 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. For these reasons set forth below, Applicants respectfully traverse this rejection.

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At page 2, the Office Action has rejected claim 20 for reciting the limitation "the second type of specific particles," in lines 14 and 15, after already stating in the preamble, "the measurement of one or more types of specific particles." Claim 20 has been amended, and the preamble now states, "a plurality of types of specific particles." The amended claim has a plurality of specific particles. In view of these changes, Applicants have overcome the rejection. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 3, the Office Action has also rejected claim 20 for reciting the limitation, "the specific particles" in line 21. Those words have been taken out of claim 20, thereby rendering this rejection moot. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 3, the Office Action has rejected claims 20-26, 28, 29, 33-35, 37, 38, 40, and 41 for reciting the terms, "effective measurement," "effectively measure," or "effectively represent." Claims 21, 22, and 35 have been cancelled, rendering their rejection moot. Claims 20, 23-26, 28, 29, 33, 34, 37, 38, 40, and 41 have all been amended and the words "effective" or "effectively" have been removed. Although Applicants traverse the rejection, by removing the relative terms "effective" and "effectively," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 3, the Office Action has rejected claim 21 for reciting the term "relatively strong component." Claim 21 has been cancelled, thereby rendering this rejection moot. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 3, the Office Action has rejected claim 21 for reciting the term "relatively weak component." The Applicants note that previous claim 21 did not recite the term, "relatively weak," and it is believed claim 22 was meant to be rejected, which did recite the term "relatively weak". Regardless, both claims 21 and 22 have been cancelled, thereby rendering this rejection moot.

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At page 4, the Office Action has rejected claims 23-25, 34, 36, 37, and 40 for reciting the term "strong component." In claims 23-25, 34, 36, 37, and 40, the term "strong component" has been changed to "first component." Although Applicants traverse the rejection, by removing the relative term "strong," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 4, the Office Action has rejected claims 23, 24, 29, 35, 36, 38, and 41 for reciting the term "weak component." Claim 35 has been cancelled, thereby rendering its rejection moot. Claims 23, 24, 29, 36, 38, and 41 have been amended, such that, the term "weak component" has been replaced with "second component." Although Applicants traverse the rejection, by removing the relative term "weak," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 4, the Office Action has rejected claims 25 and 37 for reciting the term "short exposure duration." Claims 25 and 37 have been amended so that "short exposure duration" has been replaced with "an exposure duration." Although Applicants traverse the rejection, by removing the relative term "short," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 4, the Office Action has rejected claims 26 and 37 for reciting the term "long exposure duration." Applicants believe claim 37, is actually meant to be claim 38, because claim 37 does not recite the term "long exposure duration." Claims 26 and 38 have been amended so that "long exposure duration" has been replaced with "an exposure duration." Although Applicants traverse the rejection, by removing the relative term "long," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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At page 5, the Office Action has rejected claims 28 and 40 for reciting the term "low operating voltage." Claims 28 and 40 have been amended so that "low operating voltage" has been replaced with "an operating voltage." Although Applicants traverse the rejection, by removing the relative term "low," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

At page 5, the Office Action has rejected claims 29 and 41 for reciting the term "high operating voltage." Claims 29 and 41 have been amended so that "high operating voltage" has been replaced with "an operating voltage." Although Applicants traverse the rejection, by removing the relative term "high," the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of the Claims under 35 U.S.C. §103

At page 7 of the Office Action, claim 20 is rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Tomlinson et al. (Electrophoresis, 1994, volume 15, pages 62-71) in view of Likuski (U.S. Patent No. 5932080). For the reasons set forth herein, the rejection is respectfully traversed.

Claim 20 has been amended to recite the features of previous claims 21 and 22. Previous claims 21 and 22 were not rejected based on the references Tomlinson et al. in view of Likuski. Accordingly, it is respectfully submitted that claim 20 distinguishes the claimed invention from the references of record and defines patentable subject matter. Reconsideration and withdrawal of the rejection are respectfully requested.

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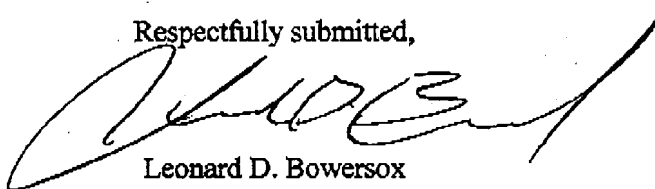
CONCLUSION

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration of the present application and a timely allowance of the pending claims.

Should the Examiner deem that any further action by Applicants or Applicants' undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

If there are any other fees due in connection with the filing of this response, please charge the fees to deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,



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